

REMARKS:

In response to the Office Action mailed on June 7, 2005 Applicant wishes to enter the following remarks for the Examiner's consideration. The office action mailed in this application has been carefully considered. Claims 1-45 are pending in the application.

Claim 9 is rejected under 35 U.S.C. 102(b) as being anticipated by Eastman et al. (US Patent 5,436,880). Applicant respectfully traverses this rejection of claim 9.

Claim 9 is a method claim directed to calibrating fall times in a pulse generating system. The method comprises action that is inherent to DC-coupled waveforms, which will not work with the AC-coupled waveforms taught by Eastman et al.

The method of claim 9 is discussed at various places in the specification as originally filed. The examiner is respectfully referred to FIG. 3 and the static (DC) level designated as K in waveform 301 and waveform 302. Eastman et al, conversely, does not work with and is not discussed in terms of DC coupling.

Consider further the first and third elements of claim 9, in which a first average voltage of a first test waveform and a second average voltage of a second test waveform, respectively, are measured. The examiner references FIGs. 2a and 2b, column 7, lines 33-35, in support of the assertion that Eastman et al. teaches these elements of claim 9. This is not an accurate reading of the reference, however. The average value in Eastman et al. is always zero because the signal is AC-coupled. The reference, then, does not address the average value of a waveform and thus cannot anticipate the recitations of these claim elements.

Moreover, consider the second and fourth elements of claim 9, in which first and second peak voltages, respectively, are calculated. Applicant cannot find any discussion of calculation of a peak voltage of a test waveform in FIGs. 2a or 2b, or

the accompanying text. Applicant respectfully requests that the examiner state with particularity such teaching occurs in the reference. It is noted that as Eastman does not teach calculation of peak voltage, it may be measured-not calculated.

With regard to the fifth element of claim 9, in which the peak voltages are used to calculate the rate of change of voltage in a falling portion of the waveform, this element is not taught, suggested or otherwise anticipated by the Eastman et al. reference. The Examiner references column 3, lines 26-27; this passage, however does not discuss peak voltages, a falling portion of a waveform, or calculation thereof. It therefore cannot anticipate the calculation of the rate of change of voltage in a falling portion of a waveform.

The examiner further references column 15, lines 19-22, in stating that the reference teaches normalizing the rate of change of voltage to a value representative of a definition of fall time to obtain a fall time calibration point. The reference discusses estimated normalized decay rates, whereas the present invention defines fall time as a percentage of the falling edge. Normalizing is not required by the claimed invention, as DC coupled waveforms are utilized. Eastman et al., however, has to include normalization because only AC-coupled waveforms are permitted. One can see that normalized decay rates are NOT the same or equivalent to fall time calibration.

In light of the above arguments regarding claim 9, Applicant respectfully submits that the anticipation rejection of claim 9 has been overcome. Reconsideration and allowance of all claims 1-45 are respectfully requested at the Examiner's earliest convenience. Although additional arguments could be made for the patentability of claim 9, such arguments are believed unnecessary in view of the above discussion. The undersigned wishes to make it clear that not making such arguments at this time should not be construed as a concession or admission to any statement in the Office Action.

Allowable Subject Matter

Applicant notes with appreciation that claims 1-8 and 17-45 are allowed, and claims 10-16 are objected to.

With regard to claims 10-16, which depend from claim 9, Applicant respectfully submits that these claims, as filed are allowable. It is believed that the above remarks overcome the rejection of claim 9, rendering it allowable over the cited art. Applicant therefore respectfully declines to rewrite claims 10-16 in independent form at this time, but does reserve the right to do so should the rejection of claim 9 not be overcome.

No amendment made herein was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim unless an argument has been made herein that such amendment has been made to distinguish over a particular reference or combination of references.

Please contact the undersigned if there are any questions regarding this response or application.

Respectfully submitted,



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